

## **Coconino County Courts Language Access Plan (LAP)**

### **I. Legal Basis and Purpose**

This document serves as the plan for the Coconino County Courts to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Coconino County Courts.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

### **II. Needs Assessment**

#### **A. Statewide**

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to Census report dated April 2010):

1. Spanish
2. Navajo
3. Chinese
4. Vietnamese
5. Arabic

#### **B. Coconino County Courts**

The Coconino County Courts will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court’s geographic area.

1. Spanish
2. Navajo
3. Mandarin Chinese
4. Russian
5. Arabic
6. German
7. French

This information is based on historical data collected from utilization of interpreter services provided by the Office of the Court Interpreter.

### **III. Language Assistance Resources**

#### **A. Interpreters Used in the Courtroom**

##### **1. Providing Interpreters in the Courtroom**

In the Coconino County Courts, interpreters will be provided at no cost to court customers who need such assistance under the following circumstances:

- For litigants and witnesses in criminal hearings;
- For litigants and witnesses in juvenile hearings;
- For litigants and witnesses in civil hearings;
- For litigants and witnesses in hearings involving domestic violence and elder abuse, family law and child support cases, to the extent that funding is provided; and,
- For litigants who need assistance when using family court services, to the extent that funding is provided.

It is the responsibility of the private attorney, Public Defender, Legal Defender, or County Attorney to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions and translations and attorney/client communications during proceedings.

##### **2. Determining the Need for an Interpreter in the Courtroom**

The Coconino County Courts may determine whether an LEP court customer needs an interpreter for a court hearing in various ways.

The need for a court interpreter may be identified prior to a court proceeding by the LEP person or on the LEP person's behalf by counter staff, self-help center staff, family court services, or outside justice partners such as attorneys, adult and juvenile probation officers, and Victim/Witness Services.

Signage throughout court buildings indicating interpreter services are available may also help to identify LEP individuals. The Coconino County Courts may choose to display this sign at the Self Help Center desk, the Court Clerk's Office, and at the main entrance.

The need for an interpreter may also be made known in the courtroom at the time of the proceeding. In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding, even after the court has made all reasonable efforts to locate one, as previously outlined in this plan, the case will be postponed until an interpreter can be provided.

### **3. Court Interpreter Registry and Listserv**

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>.

Additionally, AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. Primarily the listserv is an excellent resource to locate referrals for specific language needs.

#### **B. Language Services Outside the Courtroom**

The Coconino County Courts are also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. This is perhaps the most challenging situation facing court staff, because in many situations they are charged with assisting LEP individuals without an interpreter present. LEP individuals may come in contact with court personnel via the phone, the public counter, or other means.

To facilitate communication between LEP individuals and court staff, the Coconino County Courts use the following resources to the degree that resources are available:

- Staff court interpreters;
- Independent interpreter contractors;
- Bilingual employees;
- “I Speak” cards, to identify the individual’s primary language; and,
- Telephonic interpreter services.

To provide linguistically accessible services for LEP individuals, the Coconino County Courts provide the following:

- Self-help center services that include assistance on request from staff interpreters or telephonic services; and,
- Interpreter support for family court mediators for custody and visitation matters.

#### **C. Translated Forms and Documents**

The Arizona courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts’ services. The Coconino County Courts currently use forms and instructional materials translated into Spanish. These documents will be located in the Self Help Center and/or courtrooms.

The court has translated the following documents:

- Terms and conditions of probation; and,
- Approximately 65 Self-Help forms (see Appendix).

Interpreters at court hearings will provide sight translations of court documents and correspondence associated with the case if possible. Documents that may be appropriate for sight translation are those that are relatively short and uncomplicated, normally no more than one or two pages. Documents that may not be appropriate for sight translation shall be submitted well in advance of the related hearing to the Office of the Court Interpreter.

#### **IV. Court Staff and Volunteer Recruitment**

##### **A. Recruitment of Bilingual Staff for Language Access**

The Coconino County Courts are an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Court interpreters to serve as permanent employees of the court;
- Bilingual staff to serve at public counters and or self-help centers; and,
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

##### **B. Recruitment of Volunteers for Language Access**

The court will recruit volunteers to assist with language access in the self-help center to assist LEP users.

#### **V. Judicial and Staff Training**

The Coconino County Courts are committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Interpreter coordinator training;
- Diversity Training;
- Cultural competency training;
- LAP training;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.

#### **VI. Public Outreach and Education**

To communicate with the court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the

Coconino County Courts provide community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts may include:

- Public service announcements in Spanish and Navajo, provided periodically through local media. Examples of the type of announcements include radio spot announcement on court access issues or on the availability of self-help center services; and,
- Partnerships and collaborations with community associations to provide a court presence in the LEP community. The court will solicit input from the LEP community and its representatives and will seek to inform community service organizations on how LEP individuals can access court services.

## **VII. Public Notification and Evaluation of LAP**

### **A. LAP Approval and Notification**

The Coconino County Courts LAP is subject to approval by the presiding judge and court administrator. Upon approval, a copy will be forwarded to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court administrator for approval, and then forwarded to the AOC. Copies of the Coconino County Courts LAP will be provided to the public on request.

### **B. Annual Evaluation of the LAP**

The Coconino County Courts will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than annually.

The court's LAP coordinator will annually review the effectiveness of the court's LAP and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from LEP communities within the county;
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback.

**C. Coconino County Court Language Access Plan Coordinator:**

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**D. AOC Language Access Contact:**

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**E. LAP Effective date:** January 1, 2012

**F. Approved by:**

Presiding Judge: \_\_\_\_\_ Date: \_\_\_\_\_

Court Administrator: \_\_\_\_\_ Date: \_\_\_\_\_